

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

MARCELLO VIEYRA, JR.,

Defendant.

8:14CR229

ORDER

This matter is before the court on the oral motion of the government and the defendant Marcello Vieyra, Jr., (Vieyra) for an extension of the discovery and pretrial motion deadlines. The motion was made during the arraignment on the Indictment on August 27, 2014. Vieyra acknowledged the additional time needed for the motion would be excluded under the calculations under the Speedy Trial Act. The oral motion was granted.

IT IS ORDERED:

1. The motion for an extension of time to complete discovery and file pretrial motions is granted. The parties shall have to **September 12, 2014**, to complete discovery, and the parties shall have **to on or before September 26, 2014**, in which to file pretrial motions in accordance with the progression order.

2. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **from August 27, 2014, and September 26, 2014**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 27th day of August, 2014.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge